

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ANDREW C. HRUBY,

Plaintiff,

vs.

MARCUS HODGE, COUNSELOR
STRUBHART, FUNK, UNKNOWN PARTY,
and NURSE SELLERS,

Defendants.

Case No. 12-cv-981-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff Andrew C. Hruby's appeal (Doc. 57) of Magistrate Judge Philip M. Frazier's January 31, 2013, order setting the deadline to file amended pleadings as March 1, 2013. Essentially, Hruby seeks an extension of time to file an amended complaint.

A district court reviewing a magistrate judge's decision on nondispositive issues should modify or set aside that decision if it is clearly erroneous or contrary to law. *See* Fed. R. Civ. P. 72(a); 28 U.S.C. § 636(b)(1)(A). After a review of Magistrate Judge Frazier's March 1, 2013, order, the Court finds that it is neither clearly erroneous nor contrary to law. Accordingly, the Court **DENIES** Hruby's appeal (Doc. 57). The Court suggests Hruby file a motion seeking an extension of time to file an amended complaint from Magistrate Judge Frazier.

IT IS SO ORDERED.

DATED: February 19, 2013

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE